



The Game of Ethics: The Partnering of a Board Game

Stephen E. Sugar

It makes me a wee bit sad
That many lectures go unheard
'Cause teachers lock their message to
The power of the spoken word.

It makes me a wee bit mad
To see employed for its own sake
A game or toy or exercise
As stuff to keep a class awake.

So now I ponder, plod, and plan
To build those special games that earn
That highest of all accolades:
"They bring the best of play and learn."

Gamer's Credo by Stephen E. Sugar

A chance meeting with the assistant dean of faculty development at the University of Maryland, University College, started it all. A faculty member with an extensive background in classroom games agreed to develop a board game on ethics at a faculty development workshop. Although he knew that a federal agency had had a team of consultants working on an ethical standards game for over a year, the faculty member agreed to a scant sixteen-week deadline.

The Game Writer's Dilemma

The game writer had an impossible task. He had to develop the ethical scenarios and then work them into a format that would guarantee a game environment for the workshop. Perhaps he had

bitten off more than he could develop!

There are two areas of focus in a classroom board game. The first area is the game system, comprising the game board, rules of play, and accessories. The game system must resemble a game in all manners of appearance, play, and competitive environment. The second requires adroitly researched and written question material that encapsulates the topic and provokes discussion. This question material must be worked into a game format that provokes discussion among the players.

Sometimes the game elements are kind. The topic, for instance, might be simplistic and adaptable to an existing, well-known board game format. But ethics is complicated and subject to numerous interpretations. It is anything but simplistic.

Sometimes an audience is unsophisticated and undemanding. But faculty audiences are a crafty and crusty group, who, in attending evening workshops on their own time, expect a strong presentation.

Sometimes the time deadlines are friendly. But there were only four months until the presentation—four months to develop and pilot a working board game on ethics.

Partnering

Luckily the game writer had an ally: a University of Virginia faculty member who was developing a pilot course on ethics. The game writer and instructor became partners in the codevelopment of the ethics

game. They divided the development into two components—a *pattern of play*, in which the game writer was to develop a game system consisting of the game board, rules of play, and game accessories, and the *learning material*, in which the instructor was to develop question materials in the form of case studies based on ethical problems.

The Content Expert's Dilemma

It takes a certain addiction to adrenaline, and pain, to agree to teach a course on ethics and leadership decision making—particularly when your discipline happens to be international relations. But ethics always held a perverse fascination for the content expert. When she got a call to help a well-recommended game writer develop a board game on ethics, she had no idea what would be involved.

Codesigning many programs over the years, she had played many roles, but never that of content matter expert, a peculiar contrivance of game writers. Though it seemed they both brought well-defined talents to the table—he in game theory and she in the study of ethical dilemmas, it was unsettling to realize that for every case study the content expert created for the game, she not only had to identify the *best* answer, but also had to create a spectrum of "best," then "next best," and finally "worst" answers to match a sliding point scale based on relative merits of each answer. And,
continued on page four

PRESIDENT'S COLUMN

V. K. Wetzel



This is my first President's Column, written two weeks after I began my term as NASJE president on October 10, 1994. It's timing is appropriate for giving thanks and congratulations. While "thanks and Grats" are important to any organization, they are especially so in voluntary associations, and even more so in voluntary associations that operate without any paid staff. That's us folks!

I and you and we and us and ourselves are the staff—so forgive me if in your opinion I take too much of this precious little space to indulge. You can read something more akin to President terms, ten-point goals, and NASJE's five-year plan in a future President's Column!

I want to express my appreciation for Larry Stone's service as president the past two years. Under his leadership, NASJE moved forward with a number of new programs, developed a strategic plan and planning process, improved relations with other organizations, and involved more members in association business and committees, especially new committees. Larry's leadership culminated with the implementation of very significant constitution and by-laws changes. For example, one

continued on page ten

Philadelphia Program Praised

You Have a Friend in Pennsylvania" that state's license plate tells us. NASJE members who attended the annual conference in Philadelphia, October 9-12, found they had many friends in Pennsylvania. Bunny Baum Cantor and her staff worked tirelessly to ensure that participants enjoyed both the conference and the City of Brotherly (and Sisterly) Love. The conference hotel was a short walk from Independence National Historical Park, Penn's Landing, funky South Street, and the Headhouse Square marketplace. NASJE members took over the historic Dickens Inn, a charming Old World pub, for the annual banquet.

At the business meeting new officers were elected: V. K.-Wetzel, (Wisconsin), president; Kay S. Boothman (Arkansas), president-elect; Karen Waldrop (Arizona), vice-president; Paul L. Biderman (New Mexico), secretary; Elizabeth L. Hodges (New Hampshire), treasurer; Judith M. Anderson (Washington), director, Western Region; Blan L. Teagle (Florida), director, Southeastern Region; Cathy Springer (Indiana), director, Mid-western Region; and Richard Saks (New Jersey), director, Eastern Region.

Outgoing education committee chair Maureen Connor and her committee provided an excellent program. Dr. David Baum launched the program Monday morning with **The Future-driven Leader**. Punctuating his talk with humorous anecdotes and sleight of hand, Dr. Baum outlined four key strategies for future-driven leadership.

1. Have a clear, articulated vision. "Think big and think new." Be aware of the depth that comes from faith in possibilities. The future-driven leader shares the vision with everyone—it is not a "mountain top" experience that is then imposed on others.
2. Have a clear sense of reality. Have no illusions. Find out how others see your organization.
3. Have a clear sense of ethics and values and hold to them. This requires that vision and behavior be clearly aligned and requires commitment to others.



Larry Stone presents a plaque to Maureen Connor in recognition of her service on the Education Committee.

4. Move others through change with skill and determination. Fear of the unknown creates resistance to change. In getting people to change, address the concern: "What's in it for me?"

Public antagonism is growing against all government entities. Future-driven leaders must be creative in finding ways to turn this antagonism around. In juggling all the tasks this entails, remember to maintain a sense of humor.

Completing Monday morning's agenda was **What's Buggin' Me**, a program designed to let NASJE members identify problems and discuss solutions to them. This year coordinator Karen Waldrop broke the session up into three groups: Judicial Education Administrators, facilitated by Ellen Marshall, Curriculum/Program Designers, facilitated by Marna Murray, and Program/Meeting Planners, facilitated by Franny Maguire. Some of the problems identified were:

Communication. Chief justices, court administrators, and committee chairs need to be kept appraised, as well as supervisors and office staff. Some steps recommended to enhance communication included creating an atmosphere conducive to open communication, conducting pertinent meetings with agendas to ensure keeping on course, and writing brief reports as needed.

Appropriate assignment of tasks and functions. Recommended steps included defining job descriptions for all parties, holding staff retreats to examine the direction and function of the office, structuring functions by their natural groups, changing functions where appropriate

continued on page six

National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts

The first National Conference on Eliminating Racial and Ethnic Bias in the Courts will be held in Albuquerque, New Mexico, from March 2-5, 1995. The conference is designed to assist judicial leaders in developing action-oriented plans and procedures for identifying and eliminating racial and ethnic bias in the state court system. The conference is a project of the National Center for State Courts and is funded by the State Justice Institute. It is endorsed by the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts, the Conference of Chief Justices, the Conference of State Court Administrators, the National Association for Court Management, the National Bar Association, Hispanic National Bar Association, and numerous other bench and bar associations.

Forty-four states, the District of Columbia, American Samoa, Guam, and Saipan are interested in participating. In addition to state team members, bench, bar, community, and civic activists, a spectrum of experts are scheduled to attend the three-and-one-half-day conference. For conference registration and

information, please contact H. Clifton Grandy at (804) 253-2000, ext. 266; fax (804) 220-0449.

Since the first organizational meeting in December 1988 of the four existing task forces and commissions (New Jersey, New York, Michigan, and Washington State) the consortium membership has grown and now includes representatives from nineteen states (Arizona, Arkansas, California, Connecticut, Florida, Georgia, Hawaii, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, North Dakota, Nevada, New Jersey, New York, Ohio, Oregon, and Washington) and the District of Columbia. Membership has been requested and extended to the American Bar Association, Commission on Opportunities for Minorities in the Legal Profession, the Law Courts Education Society of British Columbia, Royal Commission on the Donald Marshall, Jr., Prosecution in Nova Scotia, the Commission on Systemic Racism in the Ontario Criminal Justice System, the National Center for State Courts in Williamsburg, Virginia, and the National Bar Association.

With funds received from the State Justice Institute, the Consor-

tium published a *Handbook for Establishing and Operating Task Forces and Commissions on Racial and Ethnic Bias in the Courts* in December 1993.

As part of its efforts to improve communication among consortium member states and other interested organizations and persons, the consortium holds an annual meeting where each consortium member provides a status report of its activities and members are able to discuss key issues such as fund raising, research activities, reform measures, implementation of recommendations, and public outreach. At the 1994 annual meeting in Arlington, Virginia, Justice Charles Z. Smith of the Washington State Supreme Court was elected moderator. Dr. Yolande P. Marlow, executive assistant, New Jersey Supreme Court Committee on Minority Concerns serves as consortium coordinator.

This year the annual meeting will be held in New Orleans, Louisiana, on Saturday, May 6, 1995. For registration and information, please contact Deanna Parker at the National Center for State Courts (804) 253-2000, ext. 863; fax (804) 220-0449.

NASJE Welcomes New Members

During this year's annual conference, the association welcomed a number of new members at the "New Member Orientation," facilitated by Jerry Beatty and Rita Culbertson. This session is intended to orient and integrate new members, giving them a sense of the goals and history of NASJE, some of the key projects, committees, and services, and how they can get involved.

New members this year are:

Linda Beasley. Linda is a program manager at the Mississippi Judicial College. She came from the Alabama court system and considers this position as "her second life."

Annabel Chotzen. Annabel is the new judicial educator from Hawaii.



First-time attendees. Seated (l. to r.): Linda Beasley, Michael Pack, Martha Kilbourn, Annabel Chotzen, Karen Klett, and Sondra Oxner. Standing (l. to r.): Roger Makin, Michael Wright, Karen Morris, Lynda Earle, Daisy Floyd, Barry Mahoney, Jim Morse, and Williams S. Fulton.

She has a master's in public administration and was able to convince her interviewing committee that a law degree was not a necessity for the job. Nice job, Annabel!

Lynda Earls. Lynda is the special projects director and is responsible for developing judicial education programs in Oklahoma. She is

continued on page nine

The Game of Ethics, *continued*

the more they got into the game design, the more she began to see a hundred shades of gray for each case study. All this while the game writer was pressing to narrow the field to only three possible answers. She was being asked to narrow the world down to three choices.

Writing the Game

Now free to focus on the game systems, the game writer had to deal with several challenges in developing the game system.

The game had to be simple to use and simple to play. If the game was not "user friendly," it would take energy away from an already complicated topic crammed into a three-hour period. The game had to be understandable and playable within five minutes.

The game objective needed to "drive" participants was a race game in which teams competed to be the first to complete a game path. This required a game board that would be both *attractive*, to encourage interaction with the material, and *simple*, to show the progress on a round-by-round basis. Finally, a *timed period* in which an answer was required from each team brought closure to each round of play. At the end of a three-minute period score sheets would be collected from each team. (We later found that the three-minute time limit could easily be expanded to ten minutes to allow for discussing and voting on each question.)

Since content was still being developed, the pattern-of-play had to be open to almost any type of material. The format was evolved to allow for three possible answers—"ethical," "unethical," or "open to question." This caused some distress to the content matter expert, but it was vital to the success of the game.

The game had to have flexible scoring to grant credit for answers to allow for interpretation and evaluation of the case studies. There was not just one "right" answer, but case studies that had "best," "next best," and "worst" responses. To promote a "positive" game environment the

best choice was awarded three spaces, the "next best" choice one space, and the "worst" choice did not advance. The game needed to focus on one case study at a time. This would allow for a balance of instructor control and interactive discussion between players. Having more than one case study in discussion at any one time would create havoc. In addition, focusing on one case would allow for one game board to be displayed on an overhead projector or a hanging chart.

The game had to encourage participation with the case material, other team players, other teams, and with the instructor. The case material would have to prompt open, even philosophical discussion of the topic. Players would be teamed into venture groups of three or five players to promote interaction yet still come to a decision—odd numbers eliminated tie votes.

The game had to allow for the content expert, now facilitator, to appropriately debrief the material. After a round of play in which the case study was discussed, voted upon, and spaces awarded for appropriateness of the answer, the material needed to be explained based on research and writings based on ethical behavior. Since the bulk of the learning was dependent on these explanations, this required a great deal of skill on the part of the content expert.

The game-writing team had agreed to the title long before it knew the appearance and dimensions of the game board. The team exchanged views on every aspect of the game. With the workshop a mere two weeks away, it finally decided on form and format. For this group it would use a flip chart. Later the game board was translated onto a transparency. The fifteen best cases were selected and game accessories were developed.

The Workshop Begins

After the lecture on ethics, the class was prepared for game play—participants were divided into teams, the rules of play were discussed, score sheets were distrib-

uted, and the first case study was shown on the overhead. (See Appendix A for suggested responses and discussion.) Each team was given two minutes to review and then vote on the best answer.

The score sheets were collected and documented by the game writer while the content expert brought the class back to order. The "best" answer was announced and the free-for-all began. Participant discussion of the questions revealed three or four entirely different interpretations. The result was a rich discussion of both the challenge and importance of having some sort of an ethical framework for decision making. Under the competitive drive of the game, the players voiced concerns on not just the case material but on the method of scoring, research data and sources, and even the selection of the original teams. But, all had to agree that the vehicle, the board game, had brought much-needed attention to the topic. The feedback forms from the workshop were very positive, and discussion continued long after the workshop was over.

Lessons Learned

If the game-writing team had to do it all over again, it would have piloted the game with a test group to ensure that interpretation of each case study was supported by the logic and data required of the topic. It would also reduce the number of case studies to ten, to ensure that enough time was allowed for group discussion.

The game was a success. The participants enjoyed and learned from the case studies, the game has been used by at least one other faculty member at the University of Maryland, and it has been shown to three other audiences with very positive results. In addition, HRD Press will publish adaptations of the game format to include cases on managing diversity and sexual harassment in its fall catalog. Best of all, it was designed and presented in a mere sixteen weeks. At last report, the federal agency was still working on its ethical standards game. ■

Appendix A

Sample Case Studies

1. In early December, Judge C. Lear receives an invitation from a prominent local law firm to attend a Christmas gala at the best restaurant in town where a normal dinner for two would usually run far in excess of \$200 per couple. With delight, the judge accepts.

Is Judge Lear's action:

- a. Ethical
- b. Unethical
- c. Open to Question

2. A former associate in the law firm where Judge I. N. Trest began her career has asked her if she may be cited as a reference on an employment application. Based on her knowledge of this lawyer's case record and legal reputation, Judge Trest agrees.

Is Judge Trest's action:

- a. Ethical
- b. Unethical
- c. Open to Question

3. Judge B. Nevolent is surprised when his best friend of twenty years drops by his office on a Tuesday morning with his fiancée in tow and asks

the judge to officiate at their marriage—immediately! After examining the license, Judge Nevolent complies. Later he finds that his friend left him \$300 in an envelope tucked in the blotter of his desk pad. Giving \$50 each to the two witnesses from his staff, Judge Nevolent treats himself and his wife to a nice dinner with the remaining \$200.

Is Judge Nevolent's action

- a. Ethical
- b. Unethical
- c. Open to Question

Key

1. Open to Question, advance 3; Unethical, advance 1; Ethical, stay put.

Discussion: If the law firm is indeed prominent, it is all the more likely that cases may come before the judge in which this firm will represent one or the other parties. While some might say that a Christmas party constitutes ordinary social hospitality, the judge should also factor in the amount of the gift, the circumstances, and the appearances that this creates. On the whole, unless the

judge is prepared to pick up his own tab for dinner, attending gives the appearance of impropriety.

2. Ethical, advance 3; Open to Question, advance 1; Unethical, stay put.

Discussion: Canons on judicial ethics agree that it is proper for judges to provide character references where they involve the legal system where they have specific factual information to offer and the provision of a character reference does not abuse their judicial position. Employment application references fall within these bounds.

3. Unethical, advance 3; Open to Question, advance 1; Ethical, stay put.

Discussion: Among the statutory provisions that govern weddings is the weekday rule that states that a judge may not take any money or thing of value if the wedding performed is on any day other than a holiday or weekend. Judge Nevolent should have returned the \$300, which he could not accept for performing a duty associated with his office during the work day.

Appendix B

Rules of Play

Object of Game

To be the first team to cross the finish line.

Learning Objectives

- To create dialogue about ethics.
- To allow players to demonstrate understanding of ethics by applying standards to real-world case studies.
- To create learning dynamics of team play and consensus building.

Materials

- 1 game board transparency
- 1 set questions
- 10 sets of score sheets
- 1 overhead projector

Time of play

45 minutes to 3 hours

Number of players

10 to 35

Preliminaries

- Your class will be divided into teams of three or five members each.
- Your team will select a number that matches a lane on the game board.
- Your team will receive a set of score sheets.

Game Play: Round 1

- The instructor reads a short case study on the overhead. The case can be answered either Ethical, Unethical, or Open to Question.
- Each team will be given 3 minutes to determine its selection.
- Each team records its selection on the score sheet.
- The instructor collects the score sheets.
- The instructor gives the preferred alternative, and then the second and third choices.
- Each team advances the number of game board spaces in accordance with the appropriateness of its answer, as follows:
 - most appropriate answer, advance 3 spaces
 - second most appropriate answer, advance 1 space
 - least appropriate answer, stay put

Round 2 to End of Game

Each round is played the same way until the end of the game.

End of Game

- The first team to cross the finish line is declared the winner.
- If no team has crossed the finish line, the team closest is declared the winner.

Appendix C

Score Sheet

Team # _____ Question # _____

_____ Ethical _____ Unethical _____ Open to Question

Philadelphia Program, *continued*

ate, and conducting cross trainings so others can conduct and support functions of a different department.

Judicial administrator wellness.

Judicial educators have needs that are often unmet, have to respond to the gulf between expectations and reasonable deliverables, must often work weekends, and have their own academic needs. Recommended solutions included regional self-help seminars for judicial educator personnel, in-service training within agencies to address the issues, participation in humanities courses, identifying sources of stress, and directing appropriate responses to these sources.

Lack of time and staff resources.

Recommended solutions to this problem include writing and obtaining grants when appropriate, developing a volunteer program, obtaining the support of advisory boards, conducting joint conferences with other states to obtain program support, and relying on national resource groups such as the JERITT and JEAEP projects.

Keeping up with registration information when you are not automated. The recommendation is to get automated! This may not be as hard as it sounds because grants are available for automation.

Uncooperative hotel people.

Recommendations included holding an on-site visit and a detailed preconference meeting to establish the judicial educator's needs. During this time develop a working relationship with the hotel staff—this will ease problem solving during the meeting. Convince hotel staff you know what you are doing.

Preregistration blues: too many in one class, too few in another. Recommended solutions are to cancel some classes, repeat others.

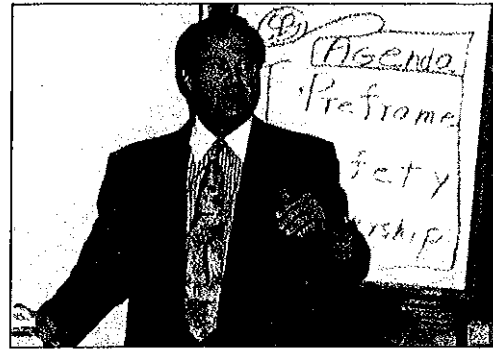
New teaching/training techniques.

Recommendations include asking speakers to contact judges ahead of time or asking speakers for questions to ask of judges. Form a judicial ed. (faculty development) committee. Involve judges' associations.

Monday afternoon was devoted to the **Program/Project Fair** coordinated by Leslie Johnson. Representatives from nineteen states or



Esther L. Bauman



Dr. Jack Wolf



Dr. David L. Baum



Dr. Mary F. Maples

organizations were available to talk on a variety of topics. The topics chosen were rated most important on the recent NASJE Continuing Education and Professional Development Needs Assessment survey.

On Tuesday, participants could choose from four tracks. As a follow-up to the highly successful "Cultural Competence and the Courts—What, Why, and How?" session that was held at the 1993 NASJE conference in San Francisco, the educational committee invited Dr. Mary F. Maples, professor, Department of Counseling and Education Psychology, University of Nevada-Reno, to present **From Knowing to Doing: Designing a Results-oriented Diversity Curriculum**. Kathleen F. Sikora, senior program attorney with the California Center for Judicial Education and Research gave a brief overview of the exercise "Cross the Line," which was part of the 1993 program.

Dr. Maples discussed the stages of awareness as they relate to diversity, then focused on the attitudes and values that judicial educators might develop as part of their learning goals. A game entitled "Values Auction" was suggested as part of a training curriculum in addition to a needs assessment of nonverbal cues,

cultural and linguistic differences, myths, and stereotypes, and concern for the welfare of others. The session ended with the quote from Poortinga that "culture is the shared constraints that limit or determine the behavior repertoire available to a sociocultural group in a way that's different from

individual belonging to any other group."

Dr. Jack Wolf, president of Associated Consultants of New Jersey, presented **Innovative Preparation and Delivery Methods for Adult Learners**. Participants discussed how trainers have delivered their material "up to now," and then Dr. Wolf introduced the "Accelerated Teaching and Learning Theory." Participants learned how to prepare training materials that increase learner attention and retention. Other subjects included learning styles of various participants, other factors that affect learning, dealing with "contrary" learners, tips on getting participants back from breaks, and the environment of the training room.

Dr. Chuck Claxton, professor at Appalachian State University and director of the Leadership Institute in Judicial Education, led **Active Learning and Effective Teaching**. During this session, participants dealt with such questions as What is the fundamental purpose of our professional work? What do we want to change and how? Who are we? How adequate are our curricula and practices? What stage of development are we in? Needless to say, we were "in over our heads."

Dr. Claxton did not offer facile solutions to these complex problems, but an essential framework for grappling with them. His thesis was that we are in over our heads partly because there is too heavy an emphasis on training versus education. He distinguished between the two and launched an effort to emphasize education for development. We did not just talk about technique but about Parker Palmer's observation that good teaching comes not from method alone, but from the identity and integrity of the teacher. We also explored what "developmental stage theory" means in practice. Dr. Claxton emphasized that we can construct education more effectively when we can engage in high quality "meaning making." He emphasized that we cannot develop people, but we can create contexts as a way to assist them in their own developmental course.

Dr. Claxton discussed the evolutionary process of moving from a dualistic to a more complex world view and talked about how we can provide a blend of challenge and support. Although our justice system appears to be dualistic, Dr. Claxton distinguished between the convergent thinking that results in an either/or answer and the dualistic world view that prevents someone in an early stage of development from being able to see subtleties and nuances in the decision-making process. He explained that a judge who makes a decision is not necessarily being dualistic at all. The judge has to make a decision. To assess the richness and complexity of the decision process we need to identify the developmental stage in which the decision maker exists. Getting different perspectives on the same experiences is developmental learning. The challenge is to create a richly textured curriculum to allow those perspectives expression. This means not a pure one-way lecture but an interactive environment. Dr. Claxton also stressed that Kolb's learning cycle is a guide to creating richly textured curricula.

One of Dr. Claxton's most intriguing observations came near the end of the session when he discussed the teacher's role in helping learners develop richer metaphors that can guide them in their lives. He

suggested that these metaphors will become increasingly feminine in the future, that we are moving from the teacher as banker (making a knowledge deposit) to the teacher as midwife (giving birth to the learner's nascent knowledge).

Veteran judicial educators Dennis Catlin, of Michigan, Laurence Stone, of Ohio, and Anthony Fisser, of Connecticut, joined David Walker, of the Commonwealth of Learning in Vancouver, British Columbia, in **Technology for Judicial Education.**

David Walker started by speaking principally about distance education and delivery systems. He ably demonstrated the marvels of education across time and space and reported that there are new standards for compressed videoconferencing that provide considerable assistance with compatibility among systems.

Mr. Walker predicted that in the area of videoconferencing we will see more of compressed videoconferencing as opposed to broad-band videoconferencing. Use of the former opens up vast new possibilities and is considerably cheaper. Audio is an extremely important ingredient of this, and while the video itself is less effective than the broad-band system, it is extremely workable.

After speaking of the advantages and disadvantages of distance education and points to be considered in the technology (access, cost, teaching functions, interaction, user friendliness, organization, novelty, and speed), David Walker predicted great application in the future not only for continuing judicial education, but for a multitude of purposes.

Dr. Dennis Catlin, former NASJE president and executive director of the Michigan Judicial Institute, next discussed electronic publishing and database publishing. Dennis compared the print mode to the electronic mode. He predicted that electronic publishing software already on the market will be commonplace in just a few years and reported that publications themselves are actually a form of distance education technology. He described his office as actually a publishing house.

Former NASJE president, Tony Fisser, reported on the JEMS project

speaking of the software systems available to judicial education offices.

Next, outgoing NASJE president Larry Stone demonstrated a responder system, using PESI. This wireless responder system can be taken to hotels and encourages participation. In addition, it provides immediate feedback to both instructors and attendees. Those in attendance were able to use keypads to answer specific questions, developed beforehand and on site in the course of Larry's presentation.

Continuing technological advances and the possibilities that lie therein sparked an air of exhilaration for participants as they considered prospects for judicial education.

On the final day two concurrent sessions were offered. **Program Promotion**, facilitated by Kay Boothman and Sandra Roos, was an interactive session in which attendees discussed problems in promoting conference programs and specialty courses for judicial audiences. Mary Trew, desktop publisher for the California Center for Judicial Education and Research, and Nancy Carter, a graphic design consultant from Arkansas, provided hands-on training and critiqued participants' graphics and copy. The workshop format allowed participants to brainstorm techniques for increasing attendee interest in sessions on difficult or controversial topics that must be addressed in education programming.

In **Automation Planning for Judicial Educators**, Esther L. Bauman, a private consultant from Connecticut, provided participants decision-making tools to plan a system. To automate successfully you must first be personal. Visualize the system you want. What are the gaps between what you have and what you want? How do you find the answers? What are you willing to do? How much will you spend? After you have determined the answers, go public with your plan and bring others into the planning process. Be able to state and sell your goal. Know how to manage the system acquisition. And be able to install, implement, maintain, and modify the system. ■

PROFILE: Mignon Upchurch Beranek

It could be considered a graceful, exotic, French opera, combining romantic and comic elements.

Mignon. What does a couple do who enjoy this Ambrose Thomas opera one evening and give birth to a beautiful baby girl the next? This couple commemorated the opera and chose the term of affection meaning "cute one" to name their daughter.

Thus started one of many traditions Mignon Upchurch Beranek, popularly known as "Dee," upholds to this day. It was her great-grandmother who first wore the name. Dee, deputy state courts administrator in Florida and the fourth Mignon in succession, then named her own daughter Mignon. Five generations have now brought honor to the name.

And there are other traditions. Although Dee was born in California, her family has deep roots in St. Augustine, Florida, the oldest permanent settlement in the United States. She, her father, grandfather, one brother, an uncle, and two cousins are attorneys. Like her father, the tall, dignified Dee made a career change to enter the field of law. Her father, now retired, served as an appellate court judge in Florida.

Born the eldest of four children to strong parents, Dee came well prepared to the field of judicial education. After completing her undergraduate work at Sophie Newcomb College of Tulane University in New Orleans, Dee completed her master's degree in education at the University of Georgia. She then worked with emotionally disturbed youngsters in Savannah and in very short order assumed administrative responsibilities as director of an intensive community-based treatment program for 225 severely emotionally disturbed children and adolescents. Dee labored in this vineyard for approximately seven years.

Education and administrative experience were excellent preparatory experiences. Next came law school. She matriculated at the Walter F. George School of Law at

Mercer University, where she was on the editorial board of the law review.

Her first job after law school in 1983 was as director of education and training in the Florida Office of the State Courts Administrator. Curiously, Dee was assuming a post previously occupied by former NASJE president Richard Reaves. At the time, Rich was moving to Georgia.

In 1987 there was some internal restructuring, and Dee inherited additional personnel, legal affairs, and management responsibilities. Although approximately 50 percent of her current responsibilities rest in education, the linkage and overlap of her remaining responsibilities have an effect on education.

How did Dee (Mignon) become acquainted with NASJE? Rich Reaves played a part. After four months on the job, Dee participated in her first NASJE annual conference in El Paso, Texas. She thought the experience "great! I had been at a loss as to full role definition and range of responsibilities. The meeting provided the opportunity to network and to learn." NASJE provided Dee her first real "exposure to adult learning concepts." It also enabled her to visit the California Judicial Education and Research program where Paul Li proved a valuable mentor. Dee then audited the National Judicial College program. Soon she served as the Southeastern regional director of NASJE. But her new Florida duties curtailed NASJE involvement. "One thing I regret is not being able to be as involved as I would have hoped." It nonetheless did not inhibit her work on State Justice Institute curriculum development and advisory committees, as a faculty person for national and state programs, or as a member of Florida's Gender Bias Implementation Commission and the Florida Bar Rules of Judicial Administration Committee.

How does judicial education operate in the Sunshine State?

Judicial education is funded by the Court Education Trust Fund in

the current amount of some \$1.6 million dollars. The trust is a funding mechanism that eliminates the need to regularly request legislative appropriations. It has been a reliable source of funding achieved through a filing fee on all civil filing except probate.

Judicial education activities are conducted under the auspices of the Florida Court Education Council. This appointed body is statutorily mandated to administer the Court Education Trust Fund. Members of the council are appointed by the Florida chief justice. Staff of the Legal Affairs and Education Division of the Office of the State Courts Administrator provide staff support to the council. Dee Beranek's official title is deputy state court administrator. She serves as Florida's judicial education officer. Counting Dee herself, there are four program attorneys and a court education program coordinator. The latter is responsible for planning and coordinating the administrative functions related to judicial education programs. Four support persons round out the staff for the Florida continuing education program.

Mandatory continuing judicial education prevails in Florida. By court rule, Florida judges must complete a minimum of thirty hours of continuing judicial education every three years. This is in addition to specified orientation and training for new judges within the first year of their assumption of judicial office.

Last year there were some 600 hours of educational programming for Florida judges.

What program opportunities are available for new judges?

To start with, a mentor judge is assigned to each new trial judge. The mentor judges are trained to provide guidance to new members of the judiciary. Mentor judges ensure that every new judge participates in at least three days of courtroom observation in the division to which he or she will be assigned.

Before hearing cases, new county and circuit judges attend part one of the Florida Judicial College. This is

a five-day program consisting of a trial skills workshop and the art of judging course. Every new judge presides over a mock trial that is videotaped and then individually critiqued by a team of four experienced judges. In the art-of-judging component, new judges discuss those qualities and attributes necessary to a successful judicial career.

There is a part two of the Florida Judicial College. It involves intensive training and education for skills and knowledge in specific subject areas. Part two is designed to prepare the new judge to handle cases in any division of court, even without previous experience in that area of law. Previously new appellate judges participated in the New York University program of judicial administration in New York City. While some continue at N.Y.U., Florida has now developed a basic course for new appellate judges within the state.

What programs are available for experienced judges?

Twice a year the conference of some 230 county court judges and the conference of some 400 circuit judges convene. The Conference of District Court of Appeal Judges

assembles annually. Judicial education is provided at each of these deliberations through multiple tracks of educational programming.

Of particular interest in Florida is the College of Advanced Judicial Studies. First begun as a fully separate entity in 1990, this is a week-long annual program designed for experienced judges preparing for new judicial assignments, for mid-career judges seeking enrichment courses, and for former county judges who have been recently appointed or elected to circuit court. Advanced judicial studies classes are more narrow in scope with limited enrollment. AJS courses are also available for experienced appellate judges.

Chief judges and court administrators have a specialized course available to them each year in a two-and-a-half-day program. This course focuses on current administrative issues and problems. Periodically, other specialized courses are held, such as a family courts symposium for implementation of the family court concept, as well as particular traffic adjudication seminars.

Throughout it all, integral to Florida judicial education are faculty

training programs. For more than eleven years, faculty training has been conducted at the Florida Judicial College. Curriculum planning courses are also periodically conducted.

With her veteran tenure and experience in state education, Dee was asked what made her most proud. Without hesitation, she responded that the very able and dedicated staff members in her division make her most proud. "The Florida programs have reached a level of expertise and sophistication because of the creativity of a 'very gifted staff.' In fact," Dee continued, "Florida judicial education is a definite team effort. Excellent staff and committed judges on the council and on committees make the program what it is." Because of that team effort and the support Dee enjoys from her team members, each of whom themselves have been long tenured in the Florida system, Dee expressed a certain diffidence about being profiled individually. Dee's modesty is noted, and the competency of the Florida staff is celebrated. It may be time to visit the opera again. ■

NASJE Welcomes New Members, *continued*

housed at the University of Central Oklahoma.

Daisy Floyd. Daisy is an associate professor of law at Texas Tech School of Law. She has worked with NASJE in the past developing a writing curriculum for judges.

Martha Kilbourn. Martha is assistant director of the Ohio Judicial Education Department.

Karen Klett. Karen won the award for being the newest educator on the block, having worked only eight days as the program coordinator for the New Mexico Judicial Education Center.

Barry Mahoney. Barry is no stranger to NASJE, having been in the field nearly twenty years. Formerly at the National Center for

State Courts, Barry now heads up the Justice Management Institute.

Roger Makin. Roger is the communications coordinator with the New Mexico Municipal Judges Association. This organization is a part of the New Mexico Municipal League.

Karen Morris. Karen is the assistant executive director of the Texas Association of Counties.

Hon. Jim Morse. Justice Morse is an associate justice on the Vermont Supreme Court and chair of the Education Committee, which oversees all judicial education. He is currently involved in a project with Russian judges.

Hon. Sondra Oxner. Judge Oxner is the president of the Common-

wealth Judicial Education Institute in Nova Scotia.

Michael Pack. Michael is the assistant manager, general counsel at the Kentucky Administrative Office of the Courts. He has the good fortune to work with Rita Culbertson, and even has the nickname of "Rita's boy"!

Shannon Poole. Shannon is a new member of the Tennessee team, serving as an education assistant. One of the newest members, she just started her work in July.

Michael Wright. Michael is a program manager at the Mississippi Judicial College. He had previously been involved in judicial education through work with Krista Johns. ■

President's Column, *continued*

change shortens the term of the NASJE president, president-elect, and vice-president from two years to one, beginning this fall, while maintaining two-year terms for secretary, treasurer, and regional director; another gives associate members a vote in NASJE elections (formerly only full members could vote); another provides that after my one-year term as president, there will be an automatic progression through the offices of vice-president to president-elect to president; and another, practiced for the first time before this October's elections, calls for the nominating committee to prepare a slate of candidates and distribute it to all members at least thirty days before the meeting.

Larry was not only a first-rate association leader, increasing respect for the profession and NASJE. He was also a first-rate association manager and the association's busiest volunteer staff member. Larry will be called upon for advice as he continues on the board as past president, replacing Jerry K. Beatty.

Jerry's thoughtful representation as immediate past president will indeed be missed. Two others retired from the NASJE board: Dan Schenk, who chaired the Bylaws Committee during times of great changes, is leaving the board after years of outstanding service as Midwestern regional director; Richard Rosswurm, an important member of the Bylaws Committee who helped cross the t's and dot the i's after others thought the work was done, is also retiring from the board after outstanding service as Southeastern regional director. We all owe Dan and Richard a debt of gratitude for their service to NASJE, and particularly for reminding us that board service could and should be fun, even during lengthy meetings! Both have agreed to continue on the Bylaws Committee (Dan as chair) to provide important historical continuity, after we reinvented the wheel!

I offer my most sincere congratulations to the new officers and regional directors elected at the Philadelphia conference: Kay S. Boothman, president-elect; Karen Waldrop, vice-president; Paul L.

Biderman, secretary; Elizabeth L. Hodges, treasurer; Judith M. Anderson, director, Western Region; Blane L. Teagle, director, Southeastern Region; Cathy Springer, director, Midwestern Region; and Richard Saks, who was reelected regional director, Eastern Region. The new board held its first meeting during the annual meeting in Philadelphia, and I look forward to working with this talented and devoted team!

My term will be short, and the list of issues and goals in transition from the last two-year presidency to the new one-year presidency is long:

- How can we further improve relations between NASJE and other organizations?
- How can we get NASJE's Judicial Education Principles and Standards endorsed by even more organizations? What can we do to assure that these are "living standards," that is, that they will change, grow, adapt, expand? How can NASJE help states implement them? Can NASJE offer technical assistance, that is a "SWAT team" of seasoned judicial educators to assist in implementation? What resources can NASJE offer to our Standards Committee, ably chaired by Anthony B. Fisser?
- Can or should we move forward to develop principles and standards for the education of judicial branch personnel other than judges?
- How can we strengthen the technical assistance services and the long-term funding of service providers like JERITT and JEAEP?
- How can we engage in comparative evaluation, impact, and other kinds of research in and about judicial branch education, and how can we be more effective in motivating and supporting others, for example, JERITT, to make this kind of service a priority?
- How can we develop and implement mentor programs for new judicial educators, including a pilot program to train mentors and develop written guides? (The outgoing board voted to support NASJE's special Mentor

Committee's effort to seek SJI grant funds for such a project).

- How can we best work the bugs out of the new NASJE bylaws? What are the remaining issues to be addressed/fixed via the constitution/bylaws?
- What can we do to improve the diversity of our members (beyond simply passing a resolution favoring diversity in judicial branch education)?
- How do we professionalize the profession? What can we do to support research about judicial branch education, educators, and education executives?
- How can we promote the exchange, development, and dissemination of state-of-the-art educational materials, techniques, ideas, policies, technologies, etc.?
- How can we better help advance the interests of the state and local judicial branch education community?
- How and when can we begin to push our U.S. paradigm of judicial branch education by exposing it to the comparative challenges and opportunities of those pursuing similar goals in other cultures and legal systems?
- Now that we have gotten more new members involved in NASJE and are addressing their special needs, how and when are we going to rediscover the "old" members as a resource and reshape our array of services to include services specifically designed for such advanced-career members?
- What can we do to meet more explicitly the special needs our members who happen to be judicial branch education chief executives?
- What will it take for the board to finish a written account of officer, board member, and committee responsibilities (perhaps culminating in a procedural manual for elected and appointed servants)?
- Should we make some changes in our practice of appointing a member as a liaison to certain projects, without terms? Could it be that without terms and turn-overs, such liaisons are more

- appropriately described as another organization's liaison to us (rather than our liaison to another organization)?
- Should we continue to pursue the idea of employing a "secretariat," or is it time to define how we can best do the work ourselves?
 - Is it time to reexamine our practice of moving our annual meeting from region to region. If we don't make a special effort to showcase local and regional talent, why not go to the best convention site, and, in October, perhaps the warmest? (Don't forget next year's meeting will be in Detroit-Dearborn, Michigan, during Columbus Day week, and in 1996 we will be at a site in the Southeastern Region).
 - How can we best integrate Maureen Connor's and JERITT's survey findings in our planning and our annual meetings?
 - How can we best practice "peer education" at our annual meetings? (By the way, I have asked Catherine S. Lowe to chair the Education Committee to plan the 1995 annual meeting; send her your suggestions. Catherine M. Springer will serve the committee as Midwestern region director, and Blan L. Teagle will be the board representative).
 - Institutionally, how can we best take advantage of our past presidents?
 - What more can we do to support and implement the JEMS project?
 - Should we hold an annual meeting in Reno in 1997 or 1998? (Let me hear from you!) My view is that we should do so only if we can get appropriate and reasonable facilities and if Reno-based judicial branch national providers can schedule pre-NASJE-meeting training seminars for judges that would be of special interest to judges and others who serve on our judicial education oversight and planning committees. Such persons then might be motivated and funded to attend such programs and could be persuaded and funded to stay a few more days for a NASJE-style professional development meeting.
 - How can we motivate more NASJE regions to conduct more

regional activities? What funding may be available for such events?

- Can and should the NASJE board respond to requests by grant applicants to write letters of support? If yes, what criteria should be applied? What should be the time frame (many requests give very short notice and little or incomplete information about grant applications seeking NASJE support)? Who in NASJE has the time and expertise to review all application-related materials in dept? The NASJE board agreed in October to defer any such requests for possible consideration to its mid-February board meeting. Meanwhile, I have asked Ellen Marshall, former chair of a NASJE projects committee, to consider this issue and make a recommendation to the board before the February meeting. Richard L. Saks will work with Ellen.
- How can we enhance the probability that *NASJE News*, a major activity of our membership, will still be published in the year 2020? (Franny M. Maguire began chairing the newsletter committee just recently. Thank you Michael W. Runner for superbly leading the committee since 1992!)

As you can see, the transitional plate is full. I'll share more—including dessert—the next time!

Well, back to "Thanks and Grats." I wish to thank Maureen Connor and the rest of the outgoing education committee for an outstanding program in Philadelphia, the faculty for their excellent presentations, and Bunny Baum Cantor and her Penn-

sylvania/Philadelphia office staff for superbly handling the arrangements. I wish to thank all of NASJE's new members who came to Philadelphia—by being there you served as vicarious faculty for all us fossils—we always are richer through our interaction and networking with new NASJE members! Finally, I want to heap special thanks, congratulations, and expectations on Kay Boothman, who was elected president-elect. I look forward to working closely with Kay over the next year; I know that she is as keenly aware as I am that for us new one-year termers cooperation and codetermination must be the order of the day for the sake of successful association leadership and management.

I look forward to working with all of you as we enter NASJE's third decade of service. Appropriately for this anniversary occasion, my last "Gracias" and "Felicidades" belong to NASJE. In the spirit of celebration, let me end this "president's column" on a very personal note, sharing with you a motto that has guided (and explained) my personal and professional life ever since I devoted myself, beginning thirty years ago, to the integration of "law and the social sciences," "sociolegal comparative analysis," and "theory-practice-praxis" through such mentors as Erich Fromm, Arnold Rose, Theodor Adorno, Ralf Dahrendorf, Frank Remington, and Herman Goldstein: "I" make "YOU" make "ME" make my-"SELF." As I said in Philadelphia, together we can make a difference, together we will make ourselves different! Good luck to all of us! ■

So long. Adieu. Good-bye. Farewell. Adios. Ciao . . .

we will miss your good words and your distinctive style. It is not easy to chair a committee of volunteer writers, and you did so with ease. Your attention to detail, but more importantly, your vision and creativity took the newsletter to a new level. You will be sorely

missed, and all who have served with you admit that you definitely cannot be replaced! Thanks, Michael!

Michael Runner has served as chair of the *NASJE News* editorial committee since 1992 and as a member of the committee since 1988. Franny Maguire, of Delaware, will assume the role of chair of the committee. ■

NASJE Members Relax

Inquiring minds want to know

Since the lives of judicial educators can be considered "high stress," we asked NASJE members about some of the ways they relax when they are away from work. We got a wide range of answers, some extremely creative!

Lynda Earls, of Oklahoma, enjoys golfing with her son. He's now teaching her how to fly-fish.

Rick Patt, of Mississippi, works out at the gym and jogs to relieve stress. He's also a movie buff, with his own extensive collection of videos. A recent favorite?—*Natural Born Killers*. He's also reading a Faulkner novel.

Suzanne Keith has a wide range of relaxing activities,

including dancing (she's our NASJE boogie queen!), remodeling, and volunteering at a Nashville hospital. She didn't mention whether her volunteer work includes dancing with the patients, but it certainly would be rehabilitative!

Kenny Ala finds gardening to be his method of relaxation. Since the soil in his home state of Texas tends to be pretty tough to work with, he must spend lots of time in the garden.

P. M. ("Duffy") Dubhaigh-Ingrassia, of New Mexico, enjoys spending time in reflection and discourse on women's issues. If you've spoken to Duffy at the conference, you'll attest to this interest. A book that's particularly

rewarding for her is *Words in Women* by Casey Miller. She also enjoys classical music.

Kay Boothman, of Arkansas, enjoys reading, and especially enjoys historical novels. Probably her favorites are ones set in the South, but she wasn't specific.

Judge Sondra Oxner, of Canada, has the most unusual approach to stress relief. What is her secret method of relaxation? "Clearing my dogs' teeth!" she exclaimed. She also tends her numerous critters, which include three llamas, ten dogs, and several horses and cattle. Since ten dogs must have a whole lot of teeth to clean, Judge Oxner should be the most relaxed of us all! ■



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The editorial committee encourages contributions to NASJE News from judicial educators and other interested parties. Not every contribution will receive a byline. Articles will receive a byline under the following guidelines:

The writing is intended to reflect the opinion of the author; the editorial committee finds it appropriate to give a byline to make clear that the writing does not reflect the opinion of the editorial committee; or the writing reflects a substantial piece of work that occupies a prominent place in the newsletter and is at least one newsletter page in length.

In applying these guidelines the committee will resolve close issues against giving bylines to committee members and in favor of giving bylines to noncommittee members. When noncommittee members make contributions not otherwise credited, their names will be listed as contributing to that newsletter.

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